

**APPROVED 11-19-09**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

Meeting of the Zoning Board of Appeals held on Thursday, October 15, 2009 at the Mildred A. Wakeley Community & Recreation Center in Room #2 at 7:30 PM.

**MEMBERS PRESENT:**

Robert F. Hannon, Chairman  
Donald F. Clark, Secretary  
Caren M. Genovese  
Robert E. Martin, Alternate, sitting for Joseph A. Cappucci  
Mary Jane Mulligan, Alternate, sitting for Theresa Ranciato-Viele

**MEMBERS ABSENT:**

Theresa Ranciato-Viele, Vice Chairman  
Joseph A. Cappucci  
Cheryl A. Juniewicz, Alternate

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator  
Arthur Hausman, Zoning Enforcement Officer

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandi Lion, Clerk

**AGENDA:**

Mr. Hannon, Chairman, called the meeting to order at 7:35 PM. Mr. Hannon then introduced the members of the Board, the Town staff, the stenographer and clerk. He explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur.

**PUBLIC HEARINGS:**

1. #A2W-09-03 Application of Robert E. Fournier, Jr., Owner and Applicant, relative to 49 Frost Drive (Map 29, Lot 81), seeking a waiver of the A2 survey application requirement.

Mr. Robert Fournier Jr., owner, presented the application for seeking a waiver of the A-2 survey requirement. He is proposing to build an addition that would be attached to his garage. Mr. Fournier located the original survey markers that were visible on both sides of the property. The Board asked a few questions and Mr. Fournier responded.

2. #A2W-09-04 Application of Scott Blake, Owner and Applicant, relative to 5 Vista Road (Map 57, Lot 10), seeking a waiver of the A2 survey application requirement.

Mr. Scott Blake, owner, presented the application to waive the A-2 survey requirement. He stated that the fence was installed on his property three years ago and exceeds the zoning regulation height of 3 feet. The issue is with the height of the fence, not the location; therefore, Mr. Blake feels the A-2 survey would not be beneficial. The Board asked questions and Mr. Blake responded.

Mr. Clark read the call for the first Public Hearing.

3. #09-04 Application of Unlimited Home Services, LLC, Applicant, Kevin J. Lennon, Sr., Owner, relative to 66 South Avenue, (Map 54, Lot 28), per Section 2.1.1.9, requesting a front yard variance of 10' to allow a 40' front yard setback where 50' is required. R-20 Zoning District.

Mr. Mike Testa with Unlimited Home Services, LLC, presented the application to upgrade and add two bedrooms to the front of the applicant's house. Mr. Lennon, owner, submitted photographs of the house and letters from neighbors in favor of the application, Exhibits A-D. This house is currently non-conforming. The Board asked a few questions and Mr. Testa responded.

There was no public comment; therefore, the Public Hearing was closed.

Mr. Clark read the call for the second Public Hearing.

4. #09-07 Application of Lou Coppola, Under Construction Contractors, LLC, Applicant, Domenico & Jennifer Liuzzi, Owners, relative to 16 Virginia Road, (Map 54, Lot 20), per Section 2.1.1.9, requesting a front yard variance of 12' to allow a 38' front yard setback where 50' is required, requesting a side yard variance of 6.5', to allow a side yard setback of 13.5' where 20' is required, and requesting an aggregate side yard variance of 6.5' to allow an aggregate side yard setback of 23.5' where 30' is required. R-20 Zoning District.

Mr. Lou Coppola with Under Construction presented the application to build a single story, 1,100 square foot addition. The size of the existing house is 1,800 square feet. Mr. Coppola submitted letters from neighbors in favor of the application, Exhibits A-C. An existing garage will be converted into living space. Mr. Liuzzi, owner, further described the addition and answered questions from the Board.

Mr. Hannon asked for public comment.

Public comment:

1. Mr. Stephen Baraquin, 20 Virginia Road, spoke in favor of the application.
2. Mr. Michael Annunziato, 12 Virginia Road, spoke in favor of the application.

There being no further comments, the Public Hearing was closed.

Mr. Clark read the call for the third Public Hearing.

5. #09-08 Application of Elvira K. Chernovetz, Owner and Applicant, relative to 13 North Avenue, (Map 60, Lot 81), per Section 2.1.1.9, requesting a front yard variance of 8' to allow a 42' front yard setback where 50' is required. R-20 Zoning District.

Mrs. Elvira Chernovetz, owner, presented the application to add a porch to the front of her home. She submitted photographs and letters from neighbors in favor of the application, Exhibits A-K. Mr. Henry Zawadowski, father of the applicant and the contractor for the project, stated the porch would have a roof but the sides would remain open. The Board asked a few questions and Mrs. Chernovetz responded.

Mr. Hannon asked for public comment.

Public comment:

1. Mrs. Zawadowski-Scofidio, mother of the applicant, stated that her daughter is disabled at times and this porch would be beneficial for neighbors and family members assisting her daughter's children when waiting for the school bus.

There being no further questions, the Public Hearing was closed.

#### **DELIBERATION SESSION:**

1. #A2W-09-03 Application of Robert E. Fournier, Jr., Owner and Applicant, relative to 49 Frost Drive.

Mr. Martin moved to waive the A2 survey requirement; Mrs. Mulligan seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Genovese – Martin – aye Mulligan - aye

The Board stated the following:

1. The original property markers are in place on both sides of the property.

2. #A2W-09-04 Application of Scott Blake, Owner and Applicant, relative to 5 Vista Road.

Mrs. Genovese moved to waive the A2 survey requirement; Mr. Martin seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Genovese - aye Martin – aye Mulligan – aye

The Board stated the following:

1. An A-2 survey would not be helpful because the issue is in regards to the height of the fence not the location.

3. #09-04 Application of Unlimited Home Services, LLC, Applicant, Kevin J. Lennon, Sr., Owner, relative to 66 South Avenue.

Mr. Martin moved to approve the application; Mrs. Genovese seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Genovese - aye Martin – aye Mulligan – aye

The Board stated the following:

1. The variance is limited to a single story addition only with the same roof line.
2. The hardship is that the house pre-exists zoning regulations and is non-conforming.
3. The request is reasonable and conforms to the neighborhood.
4. Their neighbors are in favor of the application.

4. #09-07 Application of Lou Coppola, Under Construction Contractors, LLC, Applicant, Domenico & Jennifer Liuzzi, Owners, relative to 16 Virginia Road.

Mr. Clark moved to approve the application; Mrs. Genovese seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Genovese - aye Martin – aye Mulligan – aye

The Board stated the following.

1. The variance is limited to a one story addition only.
2. The hardship is the location of the pool in the rear yard.
3. The addition conforms to the neighborhood.
4. Their neighbors are in favor of the application.

5. #09-08 Application of Elvira K. Chernovetz, Owner and Applicant, relative to 13 North Avenue.

Mrs. Mulligan moved to approve the application; Mrs. Genovese seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Genovese - aye Martin – aye Mulligan – aye

The Board stated the following:

1. The variance is limited to this proposed addition only.
2. The request is reasonable and will enhance the neighborhood.

**CEASE AND DESIST ORDERS:** None

**MINUTES:**

September 17, 2009

Mrs. Genovese moved to approve the minutes of September 17, 2009; Mr. Clark seconded the motion; the Board members voted as follows:

Hannon – aye Clark – aye Genovese - aye Mulligan – aye

**CORRESPONDENCE:** Connecticut Siting Council letter dated September 23, 2009

Mr. Hausman, Zoning Enforcement Officer, stated there were no violations to be heard this meeting.

**OTHER:** None

**PUBLIC COMMENT SESSION:** There was no public comment.

**ADJOURN:**

There being no further business, Mrs. Genovese moved to adjourn; Mr. Clark seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:20 PM.